

## Some issues for the introduction of the Artist's Resale Right into Japan

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The artist's resale right has been introduced since 1920 in various countries. By the introduction of the right, artists of the implemented countries can be given the same right in as those of the other countries which have the right, due to the reciprocity of the right in the Berne Convention. On contrary, artists without the right in their countries cannot be protected either in their own countries or the other countries, and Japanese artists fall into this category.

The needed factor for the introduction of the right is to confirm the internal factors, such as the justification of the right, exemption of discrimination or strong requirement by artists; and the external factors, such as the international commitment. After fulfilling such factors, the concrete planning for installation of the system is important with high feasibility.

In this article, the factors of EU and Australia are summarized followed with some potential factors for Japan. Then, based on the Japanese art market specificity, context of trial laws in 1948 and 2017 is introduced and the most favourable Japanese law system is considered.